

Appl. No. 10/550,188
Amdt. Dated October 10, 2008
Reply to Office Action of August 11, 2008

REMARKS

Claims 35 – 59 and 61 – 67 were previously pending in the present application. Claims 43, 44, 47, 59 and 63 have been cancelled in this paper, leaving Claims 35 – 42, 45, 46, 48 – 58, 61, 62, and 64 – 67 pending and at issue. Of the remaining claims, Claims 35, 45, 46, 58, 66 and 67 have been amended. Applicant respectfully requests reconsideration of all remaining claims in light of these amendments and the remarks below.

Claims 64 and 65 have been indicated as allowed, while Claims 47, 59-61, 66 and 67 stand allowable if amended as suggested in the Office Action. Claims 35-46, 48-58, 62 and 63 stand as currently rejected.

Claim 66 is objected to for claiming that step b) claims “alternately comprises providing a tuneable laser ...” whereas the Examiner states that Claim 66 depends from Claim 59 in which step b) is to providing a broadband light source. In fact, Claim 66 actually depends from Claim 65 not Claim 59. Nonetheless, Claim 65 has been amended as Claim 59 was previously amended, namely “b) providing a broadband light source or a tuneable laser tuned to the reference wavelength”.

Claim 67 is objected to for a lack of antecedence for the “third Airy etalon.” This has been addressed by the same amendment as made previously to Claim 61. That is, by replacing “third Airy function” by the phrase “calibration etalon filter with conventional Airy function”.

Claim 58 has been amended to include the limits of Claim 59 (now cancelled), while Claim 35 has been amended to include the limitations of Claims 43, 44 and 47 (all of which are now cancelled). The remaining claim amendments have been made to alter claim dependencies as necessary.

All claims are believed to now be in condition for allowance. Reconsideration is respectfully requested.

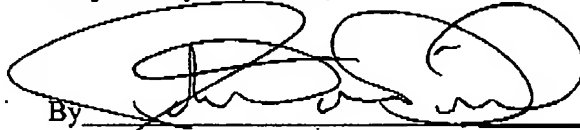
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CONCLUSION

Claims 35 - 42, 45, 46, 48 - 58, 61, 62, and 64 - 67 are currently pending and at issue in the present application. Of these remaining claims, Claims 35, 45, 46, 58, 66 and 67 have been amended to place the application in better condition for allowance.

Should any formalities remain which may be addressed by Examiner amendments, the examiner is requested to contact by phone the undersigned attorney to expedite the prosecution of the present application.

Respectfully submitted,



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